

REMARKS

This application has been further reviewed in light of the Office Action dated June 15, 2005 and the Advisory Action dated September 13, 2005. Claims 24 to 38 remain pending in the application, of which Claims 24, 29 and 34 are independent. Reconsideration and further examination are respectfully requested.

In the Office Action, Claim 35 was objected to for an informality that was attended to by amendment in the August 24, 2005 Amendment, and based on that amendment, the objection was withdrawn in the Advisory Action.

Also in the Office Action, Claims 34 to 38 were rejected under 35 U.S.C. § 101. Again, based on amendments presented in the August 24, 2005 Amendment, the § 101 rejections were withdrawn in the Advisory Action.

However, Claims 24 to 26, 28 to 31, 33 to 36 and 38 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,615,183 (Kolls), and Claims 27, 32 and 37 were rejected under 35 U.S.C. § 103(a) over Kolls in view of U.S. Patent No. 5,771,354 (Crawford), in the Office Action and the Advisory Action took the position that those rejections remain despite patentability arguments presented in the August 24, 2005 Amendment. Thus, the claims have been amended herein to address the foregoing rejections. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

The present invention concerns calculating a charge for use of an application to output a file. According to the invention, a user generates a file using the application and the file is transmitted to a file server that then executes output processing on the file. When the output processing is executed, an amount of output product obtained by the output processing is logged, and a charge is calculated for use of the application based on the amount of output product. As a result,

With specific reference to the claims, independent Claim 24 is a file outputting system comprising generating means for generating a file by using an application software, output processing means for executing output processing on the

generated file, output log recording means for, in response to the execution of the output processing, recording an amount of output product obtained through the output processing, and calculating means for calculating a charge for use of the application software on the basis of the amount of the output product, recorded by the output log recording means.

Independent Claims 29 and 34 are method and computer program claims, respectively, that substantially correspond to Claim 24.

The applied art is not seen to disclose or to suggest the features of Claims 24, 29 and 34, and in particular is not seen to disclose or to suggest at least the feature of calculating a charge for use of the application, which charge is based on an amount of the output product recorded by an output log recording means, which is logged in response to execution of output processing on the file by an output processing means.

Kolls merely provide a broad description that a user can utilize an electronic commerce business center and is charged for various types of uses. As one example, the user can perform print processing, facsimile transmission, email transmissions, etc. and is charged for the transactions. Thus, while Kolls may charge a user for a particular service, Applicants fail to see where Kolls discloses what the charge is based on, much less that the charge is calculated based on an amount of output product logged in response to execution of output processing of a file. Accordingly, the present invention of Claims 24, 29 and 34 is not believed to be anticipated by Kolls.

Crawford is seen to disclose charging a client for information on the basis of a unit price per time period (such as per minute or per month) or a unit price per read-amount from a disk. However, Crawford is not seen to add anything that, when combined with Kolls, would have disclosed or suggested at least the feature of calculating a charge for use of the application, which charge is based on an amount of the output product recorded by an output log recording means, which is logged in response to execution of output processing on the file by an output processing means. Accordingly, the proposed combination of Kolls and Crawford is not believed to have rendered the present invention of Claims 24, 29 and 34 obvious.

In view of the foregoing, independent Claims 24, 29 and 34, as well as the claims dependent therefrom, are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our address given below.

Respectfully submitted,



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